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Chief Clerk of the House

FILED FEB 05 2007

By: Eddie Lucio III

H.B. No. 1106

A BILL TO BE ENTITLED

AN ACT

relating to considering ownership interests of disabled veterans
and recipients of the Purple Heart in determining whether a
business is a historically underutilized business for purposes of
state contracting.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2161.001(3), Government Code, is amended
to read as follows:

(3) "Economically disadvantaged person" means a
person who is economically disadvantaged because of the person's
identification as a member of a certain group, including Black
Americans, Hispanic Americans, women, Asian Pacific Americans,
~~and~~ Native Americans, and veterans as defined by 38 U.S.C.
Section 101(2) who either have a service-connected disability as
defined by 38 U.S.C. Section 101(16) or have received the Purple
Heart, and who has suffered the effects of discriminatory practices
or other similar insidious circumstances over which the person has
no control.

SECTION 2. This Act takes effect September 1, 2007.

HOUSE COMMITTEE REPORT

1st Printing

07 APR 20 PM 4:58
HOUSE OF REPRESENTATIVES

By: Lucio III, Escobar, Rose, Pena, et al.

H.B. No. 1106

Substitute the following for H.B. No. 1106:

By: Leibowitz

C.S.H.B. No. 1106

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SECTION 1. Section 2161.001(3), Government Code, is amended to read as follows:

(3) "Economically disadvantaged person" means a person who is economically disadvantaged because of the person's identification as a member of a certain group, including Black Americans, Hispanic Americans, women, Asian Pacific Americans, ~~and~~ Native Americans, and veterans as defined by 38 U.S.C. Section 101(2) who have a service-connected disability as defined by 38 U.S.C. Section 101(16), and who has suffered the effects of discriminatory practices or other similar insidious circumstances over which the person has no control.

SECTION 2. This Act takes effect September 1, 2007.

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives

4-16-07
(date)

Sir:
We, your **COMMITTEE ON GOVERNMENT REFORM**
to whom was referred HB 1106 have had the same under consideration and beg to report
back with the recommendation that it

- () do pass, without amendment.
- () do pass, with amendment(s).
- (X) do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
- (X) yes () no A fiscal note was requested.
- () yes (X) no A criminal justice policy impact statement was requested.
- () yes (X) no An equalized educational funding impact statement was requested.
- () yes (X) no An actuarial analysis was requested.
- () yes (X) no A water development policy impact statement was requested.
- () yes (X) no A tax equity note was requested.
- () The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____
Joint Sponsors: _____
Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Callegari, Chair	X			
Pitts, Vice-chair	X			
Berman	X			
Leibowitz	X			
Miles				X
Rodriguez	X			
Smith, W.	X			

Total
6 aye
0 nay
0 present, not voting
1 absent

Tom Craddick
CHAIR

BILL ANALYSIS

C.S.H.B. 1106
By: Lucio III
Government Reform
Committee Report (Substituted)

BACKGROUND AND PURPOSE

During the 74th legislature, a program was created that would encourage government entities to contract with businesses owned by certain classifications of minority individuals. The program designated a "historically underutilized business (HUB) coordinator" for state agencies with biennial budgets that exceed \$10 million whose job it would be to improve state relations with these businesses. In addition, businesses that met the HUB qualifications would be involved in a variety of programs including a mentor-protégé program, business presentations, strategic planning sessions, and annual reports. This would allow service-disabled veterans who own businesses to qualify as a HUB, and therefore receive all of the services and benefits of that program.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends Section 2161.001(3) of the Government Code to include, in the definition of "economically disadvantaged person," veterans as defined by 38 U.S.C. Section 101(2) who have a service-connected disability as defined by 38 U.S.C. Section 101(16).

EFFECTIVE DATE

September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill amends Section 2161.001(3) of the Government Code to include, in the definition of "economically disadvantaged person," veterans as defined by 38 U.S.C. Section 101(2) who either have a service-connected disability as defined by 38 U.S.C. Section 101(16) or have received the Purple Heart; whereas the substitute removes veterans who have received the Purple Heart from the definition.

SUMMARY OF COMMITTEE ACTION

HB 1106

March 19, 2007 10:30 AM or upon final adjourn./recess

Considered in public hearing

Committee substitute considered in committee

Testimony taken in committee (See attached witness list.)

Left pending in committee

April 16, 2007 upon final adjourn./recess

Considered in formal meeting

Committee substitute considered in committee

Reported favorably as substituted

WITNESS LIST

HB 1106
HOUSE COMMITTEE REPORT
Government Reform Committee

March 19, 2007 - 10:30 AM or upon final adjourn./recess

For: Brennan, Jim (Self)

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 18, 2007

TO: Honorable Bill Callegari, Chair, House Committee on Government Reform

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1106 by Lucio III (Relating to considering ownership interests of disabled veterans in determining whether a business is a historically underutilized business for purposes of state contracting.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would require that a veteran as defined by 38 U.S.C. Section 101 (2) who have a service-connected disability as defined by 38 U.S.C. Section 101 (16) be considered an "economically disadvantaged person" in determining whether a business is a historically underutilized business for purposes of state contracting.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 303 Building and Procurement Commission

LBB Staff: JOB, MN, MS, EP

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 16, 2007

TO: Honorable Bill Callegari, Chair, House Committee on Government Reform

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1106 by Lucio III (Relating to considering ownership interests of disabled veterans and recipients of the Purple Heart in determining whether a business is a historically underutilized business for purposes of state contracting.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require that a veteran as defined by 38 U.S.C. Section 101 (2) who either have a service-connected disability as defined by 38 U.S.C. Section 101 (16) or have received the Purple Heart be considered an "economically disadvantaged person" in determining whether a business is a historically underutilized business for purposes of state contracting.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 303 Building and Procurement Commission

LBB Staff: JOB, MN, MS, EP

for chief clerk use only

Bill or Resolution Number: 1106

JOINT AUTHOR AUTHORIZATION

As primary author of HB 1106 I hereby authorize the following joint author(s):
(bill or resolution #)

JUAN M. ESCOBAR

printed name of joint author #1

Juan M. Escobar

signature of joint author #1

2/13/07

Patrick Rose

printed name of joint author #2

Patrick M Rose

signature of joint author #2

2/15/07

Aaron Pena

printed name of joint author #3

Aaron Pena

signature of joint author #3

3-6-07

Norma Chavez

printed name of joint author #4

signature of joint author #4

Ledie Lucio

signature of primary author

2/13/07

date

80TH LEGISLATURE

COAUTHOR AUTHORIZATION

(please request your coauthors to sign this form
in lieu of the front or the back of the original bill)

Bill or Resolution Number: HB1106

Eddie Lucio Jr.
signature of primary author

Eddie Lucio Jr.
printed name of primary author

2/13/07
Date

PERMISSION TO SIGN HB 1106 HAS BEEN GIVEN TO (check only one of the following):
(bill or resolution #)

☒ ALL REPRESENTATIVES

☐ THE FOLLOWING REPRESENTATIVE(S): _____

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

Alma A. Allen Date 3-7-07 Byron Cook Date A2795 Farabee Date

A2125 Alonzo Date A2565 Cook, Robby Date A2820 Farias Date

A2120 Ancheta Date A2595 Corte Date A2810 Farrar Date

A2155 Anderson Date A2605 Crabb Date A2840 Flores Date

A2145 Aycock Date A2610 Craddick Date A2850 Flynn Date

A2160 Bailey Date A2615 Creighton Date A2860 Frost Date

A2205 Berman Date A2640 Crownover Date A2920 Gallego Date

A2230 Bohac Date A2645 Darby Date A2915 Garcia Date

A2240 Bolton Date A2820 Davis, John Date A2960 Gattis Date

A2250 Bonnen Date A2625 Davis, Yvonne Date A2945 Geren Date

A2280 Branch Date A2680 Delisi Date A2935 Giddings Date

A2265 Brown, Betty Date A2690 Deshotel Date A2910 Gonzales Date

A2270 Brown, Fred Date A2705 Driver Date A4660 Gonzalez Toureilles Date

A2255 Burnam Date A2665 Dukes Date A2990 Goolsby Date

A2295 Callegari Date A2660 Dunnam Date A3045 Guillen Date

A2495 Castro Date A2650 Dutton Date A3035 Haggerty Date

A2585 Chavez Date A2775 Eiland Date A3050 Hamilton Date

A2480 Chisum Date A2780 Eissler Date A3100 Hancock Date

A2525 Christian Date A2785 Elkins Date A3160 Hardcastle Date

A2425 Cohen Date A2805 England Date A3150 Harless Date

A2435 Coleman Date A2800 Escobar Date A3165 Harper-Brown Date

A3170 Hartnett	Date	A3730 Mallory Caraway	Date	A4200 Puente	Date
A3175 Heflin	Date	A3780 Martinez	Date	A4230 Quintanilla	Date
A3155 Hernandez	Date	A2835 Martinez Fischer	Date	A4215 Raymond	Date
A3140 Herrero	Date	A3665 McCall	Date	A4220 Riddle	Date
A3250 Hilderbran	Date	A3650 McClendon	Date	A4250 Ritter	Date
A3275 Hill	Date	A3845 McReynolds	Date	A4270 Rodriguez	Date
A3305 Hochberg	Date	A3830 Menendez	Date	A4350 Rose	Date
A3290 Hodge	Date	A3840 Merritt	Date	A4525 Smith, Todd	Date
A3325 Homer	Date	A3825 Miles	Date	A4540 Smith, Wayne	Date
A3330 Hopson	Date	A3835 Miller	Date	A4530 Smithee	Date
A3315 Howard, Charlie	Date	A3860 Moreno	Date	A4505 Solomons	Date
A3310 Howard, Donna	Date	A3870 Morrison	Date	A4545 Strada	Date
A3340 Hughes	Date	A3865 Mowery	Date	A4565 Straus	Date
A3375 Isett	Date	A3875 Murphy	Date	A4570 Swinford	Date
A3350 Jackson	Date	A3885 Naishtat	Date	A4585 Talton	Date
A3405 Jones	Date	A3900 Noriega	Date	A4600 Taylor	Date
A3480 Keffer	Date	A3880 Oliveira	Date	A4630 Thompson	Date
A3470 King, Phil	Date	A3886 Olivo	Date	A4650 Truitt	Date
A3460 King, Susan	Date	A3930 Orr	Date	A4685 Turner	Date
A3465 King, Tracy	Date	A3940 Ortiz, Jr.	Date	A4700 Van Arsdale	Date
A3495 Kolkhorst	Date	A3945 Otto	Date	A4780 Vaught	Date
A3485 Krusee	Date	A4090 Parker	Date	A4725 Veasey	Date
A3450 Kuempel	Date	A4050 Patrick	Date	A4800 Villarreal	Date
A3520 Latham	Date	A4100 Paxton	Date	A4900 Vo	Date
A3540 Laubenberg	Date	A4140 Pena	Date	A4995 West	Date
A3560 Leibowitz	Date	A3240 Pierson	Date	A5005 Woolley	Date
A3610 Lucio, III	Date	A4160 Phillips	Date	A5150 Zedler	Date
A3705 Macias	Date	A4180 Pickett	Date	A5170 Zerwas	Date
A3715 Madden	Date	A4185 Pitts	Date	District 29	Date

H.B. No. 1106

By Eddie Lucio III

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FEB 05 2007

Filed with the Chief Clerk

FEB 12 2007

Read first time and referred to Committee on Government Reform

APR 16 2007

Reported favorably (as substituted)

APR 23 2007

Sent to Committee on (Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of _____ yeas, _____ nays, _____ present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

Senate and Constitutional 3 Day Rules suspended by a vote of _____ yeas, _____ nays

Read third time, _____, and passed by a (viva voce vote)
(_____ yeas, _____ nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

_____ Returned from the Senate (as substituted)
(with amendments)

_____ House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ House conferees appointed: _____, Chair; _____,
_____, _____, _____

_____ Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____

_____ Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

_____ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)

07 APR 20 PM 4: 50
HOUSE OF REPRESENTATIVES